

Message Text

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ORIGIN COA-01

INFO OCT-01 ARA-06 ISO-00 L-02 SS-15 DLOS-03 DOTE-00 CG-00

OES-03 EB-07 COME-00 INT-05 AGR-05 FMC-01 JUSE-00

OMB-01 CIEP-01 CEA-01 NSF-01 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-03 H-01 INR-07 NSAE-00

NSC-05 PA-01 RSC-01 PRS-01 SP-02 /074 R

DRAFTED BY OES/OFA;WLSULLIVAN:L/OES:MBWEST:CSA

APPROVED BY OES/OFA:WLSULLIVAN

T-MR. CRAFT (SUB)

L/T-MR NILSEN

ARA/BR-MR. KEMP (SUB)

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FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA IMMEDIATE

C O N F I D E N T I A L STATE 027524

E.O. 11652: GDS

TAGS: EFIS, BR

SUBJECT: US-BRAZIL SHRIMP NEGOTIATIONS

REF: BRASILIA 967

1. SEC. 2 OF OFFSHORE SHRIMP FISHERIES ACT (PL. 93-242)
DEFINES "TREATY" AS THE AGREEMENT SIGNED ON MAY 9, 1972,
INCLUDING RELATED ANNEXES, NOTES, AND AGREED MINUTES, AS
THESE DOCUMENTS MAY BE AMENDED FROM TIME TO TIME. DUE
TO THIS SECTION, DEPT FEELS IT DESIRABLE HAVE NEW ARRANGE-
MENTS CONSIDERED AS CONTINUATION AND MODIFICATION OR AMEND-
MENT TO OLD AGREEMENT AND TO AVOID EXPLICIT REFERENCE TO
TERMINATION OF 1972 AGREEMENT IN ORDER ENSURE LEGISLATION
IS KEPT ALIVE UNTIL JUNE 15 OR UNTIL NEW LEGISLATION

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CAN BE OBTAINED. DRAFT PREAMBLE SET FORTH IN REFTEL NOTES

1972 AGREEMENT TERMINATED.

2. PROBLEM COULD BE CORRECTED BY MINOR REVISIONS. BECAUSE DEPT UNDERSTANDS NEGOTIATIONS HAVE BEEN REOPENED, IF POSSIBLE, DELEGATION REQUESTED SEEK MODIFICATION PREAMBLE ALONG FOLLOWING LINES: FIRST PARA: "CONSIDERING THAT THE MUTUALLY SATISFACTORY ARRANGEMENTS CONCERNING SHRIMP IN THE AGREEMENT OF MAY 9, 1972, SHOULD BE MODIFIED AND CONTINUED;" OR "CONSIDERING THE AGREEMENT CONCERNING SHRIMP OF MAY 9, 1972, AND BELIEVING THAT MUTUALLY SATIS-

FACTORY ARRANGEMENTS CONCERNING SHRIMP SHOULD BE CONTINUED."

3. DELEGATION COULD ALSO CONSIDER MODIFICATION OF LAST PARA TO READ: "HAVE AGREED ON THE FOLLOWING AS A CONTINUATION AND MODIFICATION OF THE AGREEMENT OF MAY 9, 1972:"

4. IF BRAZILIANS OBJECT TO CONCEPT OF CONTINUATION,

ARGUMENT COULD BE MADE THAT IT SERVES US DOMESTIC NEED BUT AS PRACTICAL MATTER ONLY WHAT IS NEWLY AGREED GOVERNS. IF WORD CONTINUATION CANNOT BE ACCEPTED, ANOTHER WORD MIGHT BE SUBSTITUTED SUCH AS AUGMENTATION OR PROLONGATION. AS LAST RESORT, WE COULD PROBABLY LIVE WITH MODIFICATION OR AMENDMENT LANGUAGE ONLY.

5. AS LAST ALTERNATIVE, IF BRAZILIANS OBJECT TO ABOVE FORMULATIONS, DELEGATION SHOULD CONSIDER ELIMINATING ALL REFERENCES TO 1972 AGREEMENT IN PREAMBLE. KISSINGER

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